



# City Council Agenda

Council President  
**Chris Mathys**

Council Members

**Garry Bredefeld**  
**Mike Briggs**, Acting President  
**Henry Perea**

**Sal Quintero**  
**Daniel Ronquill**  
**Ken Steitz**

City Manager  
**Jeffrey M. Reid**

City Clerk  
**Rebecca E. Klisch**

City Attorney  
**Hilda Cant Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

**TUESDAY, OCTOBER 27, 1998**

**IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. (THE AGENDA IS AVAILABLE ON [WWW.CI.FRESNO.CA.US](http://WWW.CI.FRESNO.CA.US))**

## **9:00 A.M. Roll Call**

Invocation by Steven Davidson, Senior Pastor of Clovis Hills Community Church

Pledge of Allegiance to the Flag

Presentation of Certificates to the Highway City Neighborhood Center for Outstanding Community Work - Council President Mathys

Presentation of Awards for Student of the Quarter - Councilmember Perea

Proclamation of "THE FRESNO AMERICANS WITH DISABILITIES ACT ADVISORY COUNCIL DAY" - Councilmember Bredefeld

Proclamation of “ANDY PURSELL DAY” - Councilmember Quintero

Proclamation of “LAW ENFORCEMENT RECORDS AND SUPPORT PERSONNEL DAY IN CALIFORNIA”

**COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.**

**THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.**

**Approve Council minutes of October 20, 1998**

**Action Taken:**

**Approve Agenda**

**Action Taken:**

**Adopt Consent Calendar**

**Action Taken:**

### **TIME SCHEDULED HEARINGS AND MATTERS**

**9:00 A.M.** Presentation of the P.R.I.D.E. Team Certificates with a reception **immediately following**

**Action Taken:**

**9:15 A.M.** Appearance by William R. Milton, Sr. to discuss residency requirements for candidates running for City Council

**Action Taken:**

**9:30 A.M.** Approve the amendment to the Lease Agreement with Legion of Valor to extend the lease for an additional twenty (20) years at Veteran’s Memorial Auditorium - Council President Mathys and Mayor Patterson

**Action Taken:**

- 1.** Approve the amendment to the Lease Agreement with Veteran’s Council to extend the lease for an additional twenty (20) years at Veteran’s Memorial Auditorium

**Action Taken:**

**10:30 A.M.** Direct staff to implement the Red Light Running Campaign provided in the U.S. Department of Transportation’s “Strategic Planning Guide (A Step-by-Step Guide to implementing a Public Information

and Education Campaign Against Red-Light Running in Your Community).” - Councilmember Bredefeld  
**Action Taken:**

**TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**11:00 A.M.\* BILL NO. B-92** - Text Amendment No. TA-97-08 proposing changes to the Fresno Municipal Code, Article 2, Chapter 12, relating to the requirement of a conditional use permit for the sale of alcoholic beverages (*for adoption*)

**Action Taken:**

**2:00 P.M.#1 DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

**2:00 P.M.#2 CLOSED SESSION:**

**A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a)

- 1. Case Name:** Citizens for Integrity in Government v. Mayor, Manager and City
- 2. Case Name:** Fukuda v. City of Angles (Amicus Curiae)
- 3. Case Name:** Morales v. City of Fresno
- 4. Case Name:** Robert M. Lewis v. City of Fresno, et al. U.S.D.C. Court Case No. CV-F-97- 5166

**Action Taken:**

**2:45 P.M.** Direct City Attorney to create an ordinance prohibiting the use of self-service displays to sell tobacco products to minors. Ordinance to apply to all establishments engaged in the sale of tobacco products - Councilmembers Perea and Bredefeld

**Action Taken:**

**3:00 P.M.** Appearance by Audrey Redmond to make a presentation and proposal for a program entitled “Youth in City Government” to serve the students of Carver Academy

**Action Taken:**

**3:30 P.M. JOINT MEETING OF THE REDEVELOPMENT AGENCY:**

**Approve Agency minutes of October 20, 1998**

**Action Taken:**

**GENERAL CONSENT CALENDAR:**

**A. RESOLUTION** - Designating the Southeast Fresno Revitalization Survey Area for redevelopment study purposes (*Council action*)

**Action Taken:**

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED
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**3:30 P.M.     JOINT MEETING OF THE REDEVELOPMENT AGENCY CONTINUED:**

**GENERAL ADMINISTRATION:**

- B.     RESOLUTION -** Accepting the preliminary plan, directing the preparation of an Official Plan using tax increment financing for the redevelopment of the Central City Commercial Revitalization Redevelopment Project Area, and authorizing and directing the Executive Director to submit information to the taxing officials and agencies (*Agency action*)

**Action Taken:**

- 1.     RESOLUTION -** Initiating procedures to prepare a redevelopment plan for the redevelopment of the Central City Commercial Revitalization Project Area (*Council action*)

**Action Taken:**

- C. \*   RESOLUTION -** 38<sup>th</sup> amendment to AAR No. 98-159 appropriating \$5,000 for the renovation of the north restrooms on the Fulton Mall and approve Redevelopment Agency matching funds of \$5,000 (*Requires 5 affirmative votes*)

**Action Taken:**

- D.     Project update and approve certain actions relative to the Proposed Kearney Palms Shopping Center Development in the Southwest Fresno GNRA Redevelopment Project Area (*Agency action*)**

- 1.     Receive update report relative to the status of the Kearney Palms Shopping Center**
- 2.     Approve the following actions:**
  - a.     The contracts, substantially in the form attached, for acquiring twenty nine (29) properties within the Kearney Shopping Center Site, generally bounded by Fresno, Tuolumne, “B” Street and the 99 Freeway, and the Agency’s acquisition of the twenty-nine (29) properties at total acquisition cost of \$1,575,890; and**
  - b.     The processing and payment of relocation claims/applications according to the Relocation and Replacement Housing Plan and relocate residential and business tenants at a cost approximately \$464,000; and**
  - a.     The contracts, substantially in the form attached, for demolition and site clearance, as needed, on the parcels within the shopping center site, and authorize demolition and site clearance at a cost of \$287,800; and**
  - b.     Authorize the Executive Director, or his designee to execute the purchase and sale agreements for, process the relocation benefit applications, and payments for, and execute the demolition contracts for, the twenty-nine (29) properties (and the other site properties, as needed for demolition and relocation), and to sign other documents, and to take other actions reasonably necessary to carry out these contracts and the relocation, subject to receipt of no further action letter from Water Quality Control Board for the Currie Bros. parcel**

**ADJOURN AGENCY**

1A.

**GENERAL CONSENT CALENDAR**

**(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED BY THE CITY COUNCIL TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.#1)**

1. \* **RESOLUTION** - 2<sup>nd</sup> amendment to the Salary Resolution No. 98-161 establishing three new classes for inclusion in the Non-Supervisory White Collar Unit and the Management Non-Confidential Group; and modifying FLSA status for legal assistant  
**Action Taken:**
2. **Approve appointment** of Darius Assemi to the Fresno Metropolitan Flood Control Board - Mayor Patterson *(For adoption)*  
**Action Taken:**
3. \* **RESOLUTION** - 36<sup>th</sup> amendment to AAR No. 98-159 appropriating \$2,300 from District One Infrastructure budget for a project in the Tower District, Daily Planet remodeling - Councilmembers Briggs and Ronquillo *(Requires 5 affirmative votes)*  
**Action Taken:**
4. \* **RESOLUTION** - 39<sup>th</sup> amendment to AAR No. 98-159 appropriating \$1,700 of District 4's infrastructure capital for car radios to be used by the Weathermaker Patrol/Citizens on Patrol *(Requires 5 affirmative votes)*  
**Action Taken:**
5. Award a requirements contract for linen and dust control services  
**Action Taken:**
6. Award a requirements contract for water well test hole drilling  
**Action Taken:**
7. Award a requirements contract to furnish and install pumping equipment at Pump Station Nos. 2B, 24B, 171-1 and 171-2  
**Action Taken:**
8. \* **RESOLUTION** - 40<sup>th</sup> amendment to AAR No. 98-159 appropriating \$4,300 to fund the Crime Stoppers' annual "Join the Force" fundraiser on June 12, 1999, to be held at the Convention Center - *(Requires 5 affirmative votes)* Councilmember Perea  
**Action Taken:**

1A.

**GENERAL CONSENT CALENDAR CONTINUED**

9. **RESOLUTION** - Renewing an agreement between the City of Fresno Police Department and the State of California Commission on Peace Officer Standards and Training (P.O.S.T.) for the presentation of basic motorcycle training by the Fresno Police Department on behalf of P.O.S.T.  
**Action Taken:**
10. \* **RESOLUTION** - 35<sup>th</sup> amendment to AAR No. 98-159 appropriating \$2,413,100 to the fleet equipment acquisition fund, to receive repayment of the short term loan they extended to the Exhibit Hall Expansion capital fund pending receipt of bond issue proceeds (***Requires 5 affirmative votes***)  
**Action Taken:**
11. \* **RESOLUTION** - 37<sup>th</sup> amendment to AAR No. 98-159 appropriating \$73,800 to undertake the State of California Office of Traffic Safety Grant Funded Bicycle and Pedestrian Safety Program (***Requires 5 affirmative votes***)  
**Action Taken:**
- a. \* **RESOLUTION** - 4<sup>th</sup> amendment to Salary Resolution No. 98-160 adding one (1) Senior Community Service Officer position to undertake the State of California Office of Traffic Safety Grant Funded Bicycle and Pedestrian Safety Program  
**Action Taken:**

1B. **CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS**

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Direct City Manager to negotiate with Fresno Unified School District the amount to cover costs associated with Police Department services undertaken on school campuses - Councilmember Steitz  
**Action Taken:**
- B. Direct the Police Department to begin mandatory written notification program in which all residents within a 3-block radius, all schools within a 2-mile radius, and all day-care centers within a 1-mile radius, are notified of all registered high-risk and serious sex offenders living in their neighborhood, as allowed under Megan's Law - Councilmember Bredefeld and Perea  
**Action Taken:**

5. **CITY COUNCIL ITEMS CONTINUED**

- C. Report on Charter requirements regarding attendance by the City Manager at weekly Council meetings - Council President Mathys and Councilmember Steitz  
**Action Taken:**
- D. Direct City Manager to instruct Parks and Recreation Department to work with the San Joaquin River Conservancy, the San Joaquin River Parkway and Conservation Trust, the Fresno Metropolitan Flood Control District and the neighboring residents to review the creation of an access road and to determine the cost and location of two public restrooms and 10 parking stalls for the public to utilize the 35 acres of river bottom land. Cost for the 10 parking stalls shall be paid for by the District 2 infrastructure or by private donations. Cost for the public restrooms, if developed, will be borne by the Trust or Conservancy. This analysis shall be completed withing 180 days at which time the City of Fresno shall deed the property to either the San Joaquin River Conservancy or the San Joaquin River Parkway Conservation Trust - Council President Mathys and Councilmember Perea  
**Action Taken:**
- E. Consider increase in salary for City Attorney  
**Action Taken:**
- F. Direct City Manager to direct staff to initiate the RFP process for the Lease Maintenance Agreement of Camp Fresno at Dinkey Creek (Appearance request by Art Amerian) - Council President Mathys  
**Action Taken:**
- G. Direct City Manager to direct staff to negotiate an agreement with Fresno Mosquito and Vector Control District for the abatement of City-owned or City- managed residential drainage basins and report back to Council with fiscal impact of same. (Appearance requested by Dave Farley, District Manager of Fresno Mosquito and Vector Control District) - Council President Mathys  
**Action Taken:**
- H. Direct staff to report to Council regarding implementation of a “Receivership Program” for the abatement of substandard housing in Fresno - Councilmember Ronquillo  
**Action Taken:**
- I. Direct staff to prepare a resolution supporting the introduction of new state legislation that would continue the incarceration of sexually violent predators who have not been rehabilitated and who are considered a continued threat to society - Councilmember Perea  
**Action Taken:**
- J. Reinstate the Redevelopment Agency stipend and provide members the option of receiving the monthly stipend or participating in the City funded Health and Welfare plan. Agency members can elect on an annual basis during the Health and Welfare open enrollment period to choose either option and the stipend will be adjusted as the Health and Welfare Trust adjusts rates - Councilmember Perea  
**Action Taken:**

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS -** You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

## **SCHEDULED COUNCIL HEARINGS AND MATTERS**

### **Nov. 3 - ELECTION DAY - NO MEETING**

**Nov. 10 - 10:00 A.M.**            **HEARING** re: Chestnut/Willow No. 2A Reorganization

**Nov. 10 - 10:15 A.M.**            **HEARING** re: Chestnut/Willow No. 2B Reorganization

**Nov. 10 - 11:00 A.M.**            **HEARING** on P.A. No. 98-011, Rezone Appl. R-98-018, filed by Paul Lucich

**Nov. 10 - 11:30 A.M.**            **HEARING** on Rezone Appl. No. 98-026, filed by Nick Shubin

**Nov. 10 - 3:00 P.M.**            Proposed text amendment dealing with the establishment of residential water rates -  
Council President Mathys

**Nov. 17 - 10:00 A.M.**            **HEARING** re: P.A. #98-18, Rezone Appl. No. 98-30, filed by David Ochoa

**Nov. 17 - 5:00 P.M.**            Text Amendment No. 98-07 - Advertised structures (billboards)

### **Nov. 24 - NO MEETING - THANKSGIVING WEEK**

**Dec. 8 - 10:30 A.M.** **HEARING** re: vacation of portions of Cornelia at Dante - R.I. 1018-D

**Dec. 15 - 2:30 P.M.** **CONTINUE HEARING** re: City of Fresno Community District No. 2,  
Annexation No. 7